

### **REMARKS**

The present amendment responds to the Office Action mailed May 9, 2006 and is further to an interview conducted with Supervisory Examiner, John Hayes on August 3, 2006. The amendment to claim 1 and the cancellation of claim 40 are presented in order to place the application in condition for allowance or better condition for review in the unlikely event of an appeal.

By the present amendment, the features of dependent claim 40 have been included in independent claim 1. The Interview Summary documents favorably comments on the limitations of claim 40.

Applicant summarizes the substance of the telephone interview as follows. The Tsukuda patent was discussed in relation to the features recited in the method of claims 1 and 40. Applicant indicated that the scanning of a label on the parcel to obtain the placement data in response to the receptacle being secured, as recited in claim 40, was an automatic registration of information not taught or suggested by Tsukuda. Tsukuda scans a label using an input/output device as shown in the lower left corner of Fig. 12, but this scanning determines goods information concerning the parcel and which receptacle is to be unlocked and opened to receive the parcel (e.g., what size receptacle or whether the receptacle is to be refrigerated). *See* col 10, line 5-10. After that scanning, however, the subsequent store-in and store-out processes never scan a label in response to the securing of a receptacle to obtain placement data comprising at least a portion of the delivery instructions. Rather, the store-in process 1206 detailed in Fig. 16 includes a simple observation as to whether goods are inside the box or not using an observation device (described in column 10, lines 45-50 as including an “infra-light sensor, etc.”). *See also* col. 9, lines 45-46. Thus, Tsukuda does not automatically register placement of a parcel by scanning a label in response to the securing of the receptacle to obtain placement data comprising at least a portion of the delivery instructions, as claimed.

Applicant respectfully requests entry of the present amendment and allowance of all claims.

Dated:

Respectfully submitted,

By 

David Leason

Registration No.: 36,195

DARBY & DARBY P.C.

P.O. Box 5257

New York, New York 10150-5257

(212) 527-7700

(212) 527-7701 (Fax)

Attorneys/Agents For Applicant